



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/445,046	02/18/00	GUSTAFSSON	T 989

FATTIBENE & FATTIBENE  
2480 POST ROAD  
SOUTHPORT CT 06490

IM61/1221

EXAMINER

GRAHAM, G

ART UNIT	PAPER NUMBER
----------	--------------

1744

DATE MAILED: 12/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/445,046

Applicant(s)  
GUSTAFSSON ET AL

Examiner  
Gary K. Graham

Group Art Unit  
1744



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-4 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-4 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 8

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 1744

## DETAILED ACTION

### *Specification*

The disclosure is objected to because of the following informalities: Reference to the claims from the disclosure is improper, for example see page 1, lines 3 and 22. The disclosure should not look to the claims to define the invention.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 1744

In claim 1, line 10, there is no antecedent basis for "the contact force". Lines 10-14 appear improper since applicant has not positively claimed a window or wiper arm. Absent the wiper arm pushing the wiper strip against the window, no force exists on the wiper strip. It appears applicant must claim the wiper strip, wiper arm and window to enable development of a contact force.

In claim 4, line 8, use of "(s)" is indefinite since it cannot be determined from such exactly what is to be claimed.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Arai et al '326.

The patent to Arai discloses the invention as is claimed. Note figures 5, 6 and 7 which shows, at least under high pressure, the end sections having a lower contact force compared with the center section.

Art Unit: 1744

With respect to claim 3, Arai appears to meet the limitation of the center section having a contact force of "almost uniform magnitude". Such does not appear to define any particular structure or function not disclosed by Arai.

With respect to claim 4, note figure 6 which shows the center section having a greater curvature than at least the right end sections.


### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note EP patent '643 which discloses the end sections having a lesser curvature than the center section. See figure 7.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Gary K. Graham at 703-308-1270. The Examiner's fax number is 703-872-9546. The fax phone number for this Group is (703) 305-7719. The Examiner can normally be reached Tuesday through Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0651.

December 18, 2000  
GKG

  
GARY K. GRAHAM  
PRIMARY EXAMINER  
GROUP 1700